

Appl. No. 10/020,880
Amdt. dated February 15, 2005
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REMARKS

Applicant appreciates the indication of allowable subject matter and the withdrawal of the previous grounds of rejection.

Claims 1-5, 7-11, 15, 17-19, 24, 25, 31-35, 38 and 39 were rejected under 35 USC 102(e) as being anticipated by Christophersom et al. ("Christophersom"). Applicant respectfully traverses the rejection. Similar to the previous grounds of rejection, the reference does not include every feature of the claims and is thus unworkable.

The present claims are directed to a system wherein a computing device receives data through a "simple port." The simple port, as used in the claims and specification, is a specific input port to the computing device having particular input requirements. For example, the keyboard or the mouse ports of a PC are simple ports. The medical device outputs data and as in, e.g., claim 1, transform means receives this data and converts it into a format suitable for the simple port. Thus, the transform means are disposed along the communication pathway between the medical device and the computing device having the simple port.

The Examiner indicates that Christophersom teaches a "simple port for receiving data" at Col. 7, lines 15-18." That section reads:

Link 210 is, for example, a 433 MHZ radio frequency RF link having a range approximately 10 to 30 meters. Communication device 212, which according to the present invention includes a base station, a monitor, a programmer or similar device, in turn exchanges information with a remote location, such as data storage unit 114 or a health care provider 116 (FIG.1) through a modem 218 and the Internet 120.

There is no simple port that is discussed or implied; there is no computing interface receptive to a given format that receives data from the IMD that is transformed by, e.g., a transforming means from a device format into that given format. The Examiner relies upon Col. 3, lines 9-28 to purportedly teach the "transform means" of the claims. That section, which is expanded upon in the detailed description, addresses changing from one telemetry format to another.

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Telemetry formats relate to the ability of a given device to transmit data over a specific distance. For example, there are close proximity formats such as inductive coupling which require a programming head and distance telemetry allows communication over a longer range by, e.g., RF transmission. In any such case, the receiving device is configured to receive the signal that is output by the transmitting device, whether that means that the IMD is transmitting to a programming head or to a transceiver. There is no teaching of the receiving device receiving data through a simple port after it has been transformed. As such, the claims are not anticipated and the rejection must be withdrawn.

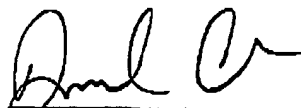
Applicant respectfully asserts that the pending claims are in condition for allowance and notice of the same is requested. Should any issues remain outstanding, the Examiner is respectfully urged to telephone the undersigned to expedite prosecution.

Respectfully submitted,

Willem Boute et al.

Date

2/16/05



Daniel G. Chapik
Reg. No. 43,424
(763) 514-3066
Customer No. 27581